

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:04CV219-1-MU

JOHNNY CALVIN OLLIS,)
)
Plaintiff,)
)
v.)
)
DAVID MITCHELL, et al.,)
)
Defendants.)
)

ORDER

THIS MATTER is before this Court upon Defendants' Motion to Dismiss filed on May 2, 2005. It appears that Defendants may be entitled to dismissal as a matter of law.

You now have the opportunity to reply to Defendants' Motion to Dismiss. You may not allege new facts surrounding the events in question as part of this reply. You should base your argument solely on the allegations contained in the original Complaint.

PLAINTIFF OLLIS READ THIS:

Plaintiff is further hereby advised that he has twenty (20) days from the filing of this Order in which to file documents, affidavits, or unsworn declarations in opposition to the Motion to Dismiss. **FAILURE TO RESPOND WITHIN THIS TIME PERIOD MAY SUBJECT THIS ACTION TO DISMISSAL.**

THEREFORE, IT IS HEREBY ORDERED that the Plaintiff has twenty (20) days from the filing of this Order in which to provide his own documents, affidavits, or declarations countering the evidence offered by Defendants in their Motion to Dismiss.

Signed: May 9, 2005



Graham C. Mullen
Chief United States District Judge

